



**UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION**

**DIVISION OF ENFORCEMENT**

February 20, 2019

**Via Email (SFarina@wc.com)**

Elon Musk  
c/o Steven Farina, Esq.  
Williams & Connolly LLP

Re: *SEC v. Musk*, 1:18-cv-8865-AJN

Dear Mr. Farina:

In connection with the Final Judgment as to Defendant Elon Musk (the “Musk Judgment”) entered in the above-captioned matter, the staff requests that your client, Elon Musk, voluntarily provide the information and documents set forth below by 5:00 pm ET on February 21, 2019:

- Please confirm whether you complied with Tesla’s pre-approval procedures as required by Section IV(b) of the Musk Judgment before you published the written communication on Twitter at 7:15 pm ET on February 19, 2019, that stated, “Tesla made 0 cars in 2011, but will make around 500k in 2019” (“the 7:15 tweet”). If so, please describe the process by which you complied with Tesla’s pre-approval procedures.
- Please provide all documents concerning or related to the 7:15 tweet, including, but not limited to, any review and/or pre-approval of the 7:15 tweet by Tesla’s General Counsel and/or Securities Counsel.
- Please confirm whether you complied with Tesla’s pre-approval procedures as required by Section IV(b) of the Musk Judgment before you published the written communication on Twitter at 11:41 pm ET on February 19, 2019, that stated, “Meant to say annualized production rate at end of 2019 probably around 500k, ie 10k cars/week. Deliveries for year still estimated to be about 400k” (“the 11:41 tweet”). If so, please describe the process by which you complied with Tesla’s pre-approval procedures.

- Please provide all documents concerning or related to the 11:41 tweet, including, but not limited to, any review and/or pre-approval of the 11:41 tweet by Tesla's General Counsel and/or Securities Counsel.

Please send responsive information and documents to:

U.S. Securities and Exchange Commission  
Attn: Cheryl L. Crumpton  
Supervisory Trial Counsel  
Division of Enforcement  
U.S. Securities and Exchange Commission  
100 F Street, N.E.  
Washington, DC 20549-5985  
[CrumptonC@sec.gov](mailto:CrumptonC@sec.gov)

If you have any questions or would like to discuss this matter, you may call me at 202-551-4459.

Sincerely,

*s/ Cheryl L. Crumpton*